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Michigan Drops Intoxicated Driving Level to 0.08 BAC

Legislation will save 500 lives and reduce alcohol-related traffic deaths

LANSING – Legislation to reduce alcohol-related traffic deaths in Michigan by dropping the “operating while intoxicated” limit from 0.10 to 0.08 bodily alcohol content (BAC) passed the state Senate today, Sen. Valde Garcia, R-Howell, said.

“With the passage of the bill, the loss of critical highway funds has been prevented,” Garcia said.

House Bill 4247 would amend the Michigan Vehicle Code to prohibit a person from “operating while intoxicated” if the person was under the influence of alcohol and/or a controlled substance, or the person had a bodily alcohol content of 0.08 gram per 100 milliliters of blood.

According to the M.A.D.D. (Mothers Against Drunk Driving) website, statistics have shown a six to eight percent reduction in alcohol-related traffic deaths in states following the passage of the 0.08 BAC “intoxicated” level.

The federal government passed a law in Oct. 2000 requiring states to pass a 0.08 BAC per se law by Oct. 1, 2003, or face the withholding of 2 percent of their federal highway construction funds. States without the law by the date face the loss of an additional 2 percent of highway funds each year until 2006. Passing the law before Oct. 1, 2007 allows the return of the withheld highway funds to those state that did not pass the law prior to Oct. 1, 2003.

Michigan would join 41 states and the District of Columbia to have a 0.08 BAC per se law.

HB 4247 will now be sent to the House of Representatives for concurrence.